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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,171	01/30/2004	Yusuke Shimizu	2004-0166A

000513  
WENDEROTH, LIND & PONACK, L.L.P.  
2033 K STREET N. W.  
SUITE 800  
WASHINGTON, DC 20006-1021

RECEIVED  
JUN 15 2004

WENDEROTH, LIND & PONACK

CONFIRMATION NO. 4699

## FORMALITIES LETTER



\*OC000000012944467\*

Date Mailed: 06/14/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

07/23/2004 EABUBAK1 00000082 10767171

FILED UNDER 37 CFR 1.53(b)

01 FC:1051 130.00 OP  
02 FC:1053 130.00 OP

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) all.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$260** for a Large Entity

- **\$130** Late oath or declaration Surcharge.
- **\$130** for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yusuke SHIMIZU et al.

Serial No. 10/767,171

Filed January 30, 2004



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**Confirmation No. 4699**

**Mail Stop: MISSING PARTS**

**Attorney Docket No. 2004-0166A**

PREFERENCE INFORMATION  
MANAGEMENT DEVICE WHICH  
PRODUCES PREFERENCE INFORMATION  
BASED ON PACKAGE CONTENT USE  
HISTORY

**PATENT OFFICE FEE TRANSMITTAL FORM**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

Attached hereto is a check in the amount of \$ 260.00 to cover Patent Office fees relating to filing the following attached papers:

Late filing of executed Declaration ..... \$130.00

English Translation of the application ..... \$130.00

A duplicate copy of this paper is being submitted for use in the Accounting Division, Office of Finance.

*The Commissioner is authorized to charge any deficiency or to credit any overpayment associated with this communication to Deposit Account No. 23-0975, with the EXCEPTION of deficiencies in fees for multiple dependent claims in new applications.*

Respectfully submitted,

Yusuke SHIMIZU et al.

By

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Jeffrey R. Filipek  
Registration No. 41,471  
Attorney for Applicants

JRF/ck  
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July 22, 2004

[Check No. 63070]

2004-0166A

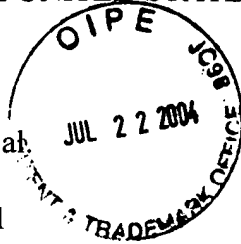
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Yusuke SHIMIZU et al.

Serial No. 10/767,171

Filed January 30, 2004



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**Confirmation No. 4699**

**Mail Stop: MISSING PARTS**

**Attorney Docket No. 2004-0166A**

PREFERENCE INFORMATION  
MANAGEMENT DEVICE WHICH  
PRODUCES PREFERENCE  
INFORMATION BASED ON PACKAGE  
CONTENT USE HISTORY

**REPLY TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

THE COMMISSIONER IS AUTHORIZED  
TO CHANGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975

Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application dated June 14, 2004, submitted herewith are the required 1) Declaration and Power of Attorney; 2) English translation of the specification with Verification of Translation; and 3) replacement drawings in compliance with 37 C.F.R. §1.84.

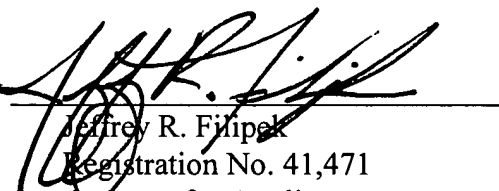
Also enclosed are the PTO surcharge of \$260.00, required by 37 CFR 1.16(e), and a copy of the Notice.

Favorable action on the merits is now requested.

Respectfully submitted,

Yusuke SHIMIZU et al.

By

  
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July 22, 2004